

## Enforceable CableCARD rules.

- There is pent-up consumer demand for innovative video products, and the explosion of interest in online video and broadband-enabled video devices is partly due to the inability of cable's proprietary hardware and services to keep up. But these new services are only partial substitutes for cable programming for many consumers. A functioning CableCARD system will have an enthusiastic customer base and interest from developers during the ramp-up to AllVid.
- Consumers must have guaranteed access to switched digital channels. The best way to assure this outcome is by allowing devices to communicate with the cable head-end via IP, without a cumbersome tuning adapter. There are many IP-enabled TVs and other products on the market, which is evidence that an "IP backchannel" would be more likely to encourage new CableCARD devices.
- A litany of consumer complaints is evidence that even the Commission's *current* rules are being flouted. There should be a consumer complaint procedure on fcc.gov, backed up by financial penalties for noncompliant cable operators.
- Eliminate the Evolution waiver. Common reliance is the only way to assure technological compatibility and help jumpstart the market for CableCARD devices. Any exceptions to common reliance that are based on demonstrable analog system capacity issues need to sunset, just as the Evolution waiver was intended to, and be accompanied by a more rigorous enforcement procedure for third-party device compatibility.
- Self-installation must be an option for all customers of all cable systems. Evidence in the record shows how cable operators use dysfunctional installation procedures as opportunities to discourage people from using competitive devices.
- As the statute requires, there must be full disclosure of relevant costs, and no cross-subsidization of devices and services.
- Congress intended for consumers to benefit, and save money, by enabling a competitive market for devices. The most efficient way to implement the law is not necessarily the one that cable claims costs *it* the least in the short term.